

Simmons, Perrine, Albright & Ellwood, P.L.C.

Attorneys and Counselors

115 Third Street SE, Suite 1200
 Cedar Rapids, Iowa 52401-1266
 Office Telephone: (319) 366-7641
 Fax: (319) 366-1917

Third Floor Tower Place
 22 South Linn Street
 Iowa City, Iowa 52240
 Office Telephone: (319) 887-1368
 Fax: (319) 887-1372

E-Mail Address: gwilliams@simmonsperrine.com
 Website: www.simmonsperrine.com

Darrel A. Mory	Gregory G. Williams	Haven Y. Simmons (1898-1975)
James E. Shipman	Nicole Abou-Assaly	Beth T. Perrine (1902-1989)
Stephen J. Holman ¹	Allison M. Heffern	William P. Ellwood (1909-1998)
Iris E. Muchmore	Lynn W. Hartman	Justin W. Albright (1908-2004)
Gregory M. Lederer	Kathleen A. Kleinman ¹	
James A. Gerk	Paul F. Morf	REGISTERED PATENT
Roger W. Stone	Philip A. Burian ¹	ATTORNEYS
David A. Hacker	Christine L. Conover	Gregory G. Williams
David W. Kubicek	David C. Kucher ¹	Michael F. Williams
Matthew J. Brandes	Michael F. Williams	OF COUNSEL
James M. Peters	Elizabeth V. Croco	James R. Snyder
Leonard L. Strand	Fatay A. Thimmig ^{1,2}	Robert M. Jick
Mark H. Ogden	Jason M. Steffens	
Webb L. Wassner	Lorie Kains-Schweer	
Mark A. Roberts	Laurie R. Staker ¹	RETired
Chad M. VonKampen	Richard G. Hillman, Counsel	Jake R. Carpenter

Also licensed to practice in: 1 Illinois 2 Wisconsin 3 Missouri

FACSIMILE INFORMATION SHEET

DATE: March 11, 2005

TIME: 2:35

RE: DEPOSIT ACCOUNT NO. 19-2260 – SIMMONS, PERRINE ET AL
 REQUEST FOR REFUND
 Application No: 10/604,259
 Our Docket No. 03S1657
 Applicant: Gale L. Sindt

CONFIDENTIALITY NOTICE: The information contained in this facsimile message and the documents accompanying this facsimile message are attorney privileged and confidential information intended only for the use of the individual or entity named below. If the reader of this message is not the intended recipient, or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone, and return the original message to us at the above address via the U. S. Postal Service. We will guarantee postage.

NAME OF FIRM/COMPANY: USPTO Refund Branch – Deposit Account

FACSIMILE (FAX) NO. 703-308-5077

TRANSMITTING PARTY: Gregory G. Williams

TOTAL NUMBER OF PAGES
 (Including this Sheet): 2 PAGES

IF PROBLEMS WITH
 TRANSMITTAL CONTACT: MARIAN PALMERSHEIM

MESSAGE: Please see attached letter requesting refund to be credited to our Deposit Account 19-2260.

BEST AVAILABLE COPY

Simmons, Perrine, Albright & Ellwood, P.L.C.

Attorneys and Counselors

115 Third Street SE, Suite 1200
 Cedar Rapids, Iowa 52401-1266
 Office Telephone: (319) 366-7641
 Fax: (319) 366-1917

Third Floor Tower Place
 22 South Linn Street
 Iowa City, Iowa 52240
 Office Telephone: (319) 887-1368
 Fax: (319) 887-1372

E-Mail Address: gwilliams@simmonsperrine.com
 Website: www.simmonsperrine.com

Darrel A. Mort	Gregory G. Williams	Haven Y. Simmons (1888-1975)
James E. Shipman	Nicolas Abou-Assaly	Beahl T. Perrine (1902-1989)
Stephen J. Holtman ²	Allison M. Hettner	William P. Ellwood (1909-1998)
Iris E. Muchmore	Lynn W. Hartman	Justin W. Albright (1908-2004)
Gregory M. Lederer	Kathleen A. Kleiman ¹	
James A. Gerik	Paul P. Mort	REGISTERED PATENT
Roger W. Stone	Philip A. Burian ¹	ATTORNEYS
David A. Hucker	Christine L. Conover	Gregory G. Williams
David W. Kubicek	David C. Kucher ¹	Michael F. Williams
Matthew J. Brandes	Michael F. Williams	OF COUNSEL
James M. Peters	Elizabeth V. Croco	James R. Snyder
Leonard L. Strand	Patsy A. Thibierge ¹⁴	Robert M. Jilak
Mark H. Ogden	Jason M. Steffens	RETired
Webb L. Wassmer	Lorie Reiter-Schweier	John R. Carpenter
Mark A. Roberts	Lance R. Staker ¹	
Chad M. VonKampen	Richard G. Hileman, Counsel	

Also licensed to practice in: 1 Illinois 2 Wisconsin 3 Missouri

March 11, 2005

VIA FACSIMILE TRANSMISSION TO
REFUND BRANCH – 703-308-5077

RE: DEPOSIT ACCOUNT NO. 19-2260
 Simmons, Perrine, Albright & Ellwood, P.L.C.

On February 18, 2005, we were charged \$65 for fee code 2814, which was correct for filing a statutory disclaimer for a small entity. The application number was 10/604,259 and was for our docket number 03S1657. There is now a March 1 charge for the same file which appears to be a duplicate charge for filing the disclaimer, except that it is now being charged as a large entity. We would, therefore, request a refund in the amount of \$130. Please credit our account accordingly.

We appreciate your attention to this matter.



GREGORY G. WILLIAMS
 REG. NO. 31,681

mep

BEST AVAILABLE COPY

Feb. 4, 2005 5:12PM SIMMONS, PERRINE-I.C

No. 6015213
RECEIVED
CENTRAL FAX CENTER

FEB 04 2005

PTO/SB/26 (09-04)

Approved for use through 07/31/2008. OMB 0661-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**TERMINAL DISCLAIMER TO OBLIGATE A DOUBLE PATENTING
REJECTION OVER A "PRIOR" PATENT**

Docket Number (Optional)
03S1657

In re Application of: GALE L. SINDT

Application No.: 10/604,259

Filed: JULY 7, 2003

For: APPARATUS AND METHOD FOR IMPROVING TIRES

The owner, GALE L. SINDT, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term prior patent No. 6,308,782 as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said prior patent is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the prior patent, "as the term of said prior patent is presently shortened by any terminal disclaimer," in the event that said prior patent later:

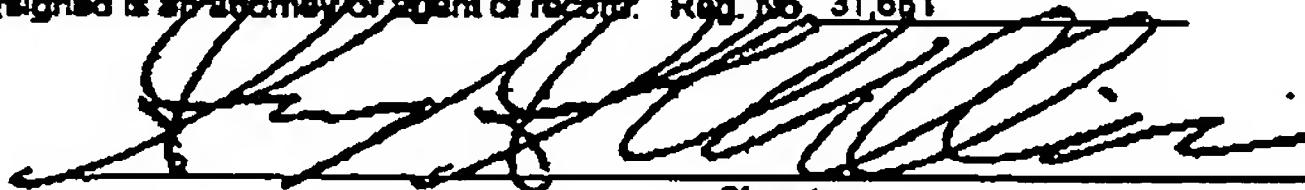
- expires for failure to pay a maintenance fee;
- is held unenforceable;
- is found invalid by a court of competent jurisdiction;
- is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321;
- has all claims canceled by a reexamination certificate;
- is released; or
- is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Check either box 1 or 2 below, if appropriate.

1. For submissions on behalf of a business/organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the business/organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. The undersigned is an attorney or agent of record. Reg. No. 31,881



Signature

FEBRUARY 4, 2005

Date

GREGORY G. WILLIAMS
Typed or printed name

319-887-1368
Telephone Number

Terminal disclaimer fee under 37 CFR 1.20(d) included.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).
Form PTO/SB/86 may be used for making this certification. See MPEP § 324.

This collection of information is required by 37 CFR 1.321. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-8199 and select option 2.

PAGE 1313 *RCVD AT 2/4/2005 4:16:18 PM [Eastern Standard Time] * SVR:USPTO-EFXRF-1/1 * DNI:8729306 * CSID:319 887 1372 * DURATION (min:ss):03:36

Adjustment Date: 04/13/2005 SDIRETA1
03/01/2005 JTUNSTAL 00000004 192260 10604259
01 FC:1814 130.00 CR

BEST AVAILABLE COPY